

**APPROVED**



**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA - CITY HALL  
3939 N. DRINKWATER BOULEVARD  
SEPTEMBER 23, 2004  
MINUTES**

**PRESENT:** Robert Littlefield, Council Member  
E.L. Cortez, Vice Chairman  
Eric Hess, Commission Member  
Michael D'Andrea, Design Member  
Jeremy Jones, Design Member  
Michael Schmitt, Design Member

**STAFF:** Suzanne Colver  
Tim Curtis  
Randy Grant  
Kurt Jones  
Greg Williams  
Al Ward

**CALL TO ORDER**

The regular meeting of the Scottsdale Development Review Board was called to order by Councilman Littlefield at 1:00 p.m.

**ROLL CALL**

A formal roll call confirmed members present as stated above.

**OPENING STATEMENT**

**COUNCILMAN LITTLEFIELD** read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

## **MINUTES APPROVAL**

September 9, 2004 DRB Minutes

**VICE CHAIRMAN CORTEZ MADE A MOTION TO APPROVE THE SEPTEMBER 9, 2004, MEETING MINUTES AS PRESENTED. SECOND BY MR. JONES.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

## **CONSENT AGENDA**

14-PP-2004

Collina E. Vista  
Preliminary Plat  
SEC 116<sup>th</sup> & Jomax

**COUNCILMAN LITTLEFIELD** reported there is one citizen comment card on case 14-PP-2004 noting they will allow this person to speak but leave this item on the consent agenda.

**NANCY J. WAUGAMAN**, Lot # 19 (Parcel D), read the following letter into the record:

I am urging the DRB at this hearing to reject the current plan as presented with ingress and egress around the major rock feature on the property for the following reasons:

1. There is an easement, which would permit a continuation of an existing Road – Christmas Cholla. By placing the road in this location, it would permit a defined single street entrance for ingress and egress for this development. This creates clarity, safety, and consistency with other approved developments in the area.
2. By having a defined single street location less asphalt width and curves will be required and result in greater preservation of ELS land.
3. Only two houses in Desert Views might be impacted by car lights existing from the development.
4. A single street will be compatible with all surrounding communities and was required of Yearling Estates when it went to City Council for approval thus the Yearling Development lines with Cottontail in Four Peaks.

I urge this Board to reject this plan before you in the interests of good street planning, safety and preservation of the ESL land around this major rock feature.

**COUNCILMAN LITTLE** stated it has been requested this case be moved from the expedited agenda to the regular agenda.

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| 19-PP-2004 | DC Ranch Canyon 5 – Parcels 5.4/5.5/5.6/5.7<br>Preliminary Plat<br>Horseshoe Canyon Dr.<br>Swaback Partners PLLC, Architect/Designer    |
| 51-DR-2004 | Northsight Village – Phase III Pad<br>Site Plan & Elevations<br>14880 N. Northsight Blvd.<br>K & I Architects, Architect/Designer       |
| 61-DR-2004 | Ancala Community Main Entrance<br>Site Plan & Elevations<br>11806 E. Via Linda<br>Charles Schiffner & Associates,<br>Architect/Designer |

**VICE CHAIRMAN CORTEZ MOVED TO APPROVE CASES 19-PP-2004, 51-DR-2004, AND 61-DR-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY MR. D'ANDREA AND PASSED UNANIMOUSLY.**

**REGULAR AGENDA**

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| 14-PP-2004 | Collina E. Vista<br>Preliminary Plat<br>SEC 116 <sup>th</sup> & Jomax |
|------------|---|

**MS. COLVER** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**COUNCILMAN LITTLEFIELD** inquired if the concern is regarding lights coming off the vehicles onto the house on the west side how can landscaping on the east side of the road mitigate that. Ms. Colver explained how creating screening will help to mitigate the glare or flashing. She further stated the screening would be indigenous trees.

**MR. D'ANDREA** inquired if the maintenance of the rock outcropping would be the responsibility of the HOA. Ms. Colver replied in the affirmative.

(COUNCILMAN LITTLEFIELD OPENED PUBLIC TESTIMONY.)

**PATRICK FLYNN** stated that he lives in the Four Peaks area and is in support of this request. He further stated that he has been involved with the neighborhood association as an officer and the majority of the neighbors are in favor of this request. He reported the Developer is willing to put in some more buffering on the west side.

**APPROVED 10-07-04**

**JOSEPH GUERRERO**, 85255 E. Jomax, spoke in favor of this request. He pointed out that the subdivision to the left of that subdivision is high density and in comparison, this subdivision would only be 12 homes.

**RICK MEDEIROS**, 25770 N. 116<sup>th</sup> Street, spoke in favor of this request. He stated that he lives down the street from the proposed subdivision and he thought it is a great plan because of all of the open space and limited number of houses. He added that he liked the entry feature.

(COUNCILMAN LITTLEFIELD CLOSED PUBLIC TESTIMONY.)

**VICE CHAIRMAN CORTEZ** stated that he supports the plat itself that it is a good use of the property. He inquired with regard to the entry feature why there are two entrances and two exits.

**TOM RIEF**, Land Development Services, explained that there are not two entry points and two exit points but rather a single entrance and a single exit. The entry was designed to capitalize on the dynamics of the rock feature. This was an opportunity to preserve NAOS and use the rock outcropping as a focal point for the 12 lots.

**VICE CHAIRMAN CORTEZ** noted that he had never seen a rock outcropping used in this fashion as opposed to creating a two-way entry/exit scenario and eliminating one of the drives around the perimeter. Mr. Rief explained that this design capitalizes on the existing environmental features and has been designed to comply with the new ESLO guidelines. Vice Chairman Cortez inquired if without one of the roads that are being suggested by this design, would we not have additional NAOS. Mr. Rief replied the differential in open space would be nominal between the two designs.

Mr. Rief stated with regard to Ms. Waugaman's comments of having access utilizing the existing easement to lineup Christmas Cholla. He explained the easement is on the south property line and is a 15-foot GLO easement. Yearling Estates was required to abandon their half of the easement so half of the easement is gone. Even if they did chose to utilize that easement it is only 15 feet in width and does not line up with Christmas Cholla. Access at the location does not create a safe environment.

Vice Chairman Cortez inquired if there is sufficient property to provide a two way in and out of the development if we were to eliminate one of the roadways around the boulder. Mr. Rief replied in the affirmative.

**MR. SCHMITT** inquired if they to go to a single drive into the property as suggested by Mr. Cortez, where would they position the security feature to access the subdivision. If they did that how would people who turned into the

driveway then back up and get back to the road safely. Mr. Rief stated that he did not know how to answer that if they did have a single entry it would be redesigned and they might have to disturb more open space.

**MR. D'ANDREA** stated that he appreciates Mr. Cortez' comments but he personally liked the fact that the residents get different view of the rock feature when they enter and exit the development. He further stated that he liked the use of the rock outcropping as an entry feature and it is well done. He added he supports the plan.

**MR. JONES** stated that he liked the idea that the community seems to be behind the rock and psychologically gives more distance from the road and little more privacy and rural feel.

**MR. SCHMITT MOVED TO APPROVE CASE 14-PP-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY MR. HESS. THE MOTION PASSED BY A VOTE OF FIVE (5) TO ONE (1) WITH VICE CHAIRMAN CORTEZ DISSENTING.**

47-DR-2004

Scottsdale Horizon Commercial Center  
Color Change  
14672 N. Frank Lloyd Wright Blvd

**MR. JONES** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**COUNCILMAN LITTLEFIELD** stated the issue is changing Tasmanian Myrtle to Copper Springs. Mr. Jones replied in the affirmative.

(COUNCILMAN LITTLEFIELD OPENED PUBLIC TESTIMONY.)

**ALAN KAUFMAN**, representing Scottsdale Horizon Community Association, 15050 N. Thompson Peak Pkwy, spoke in favor of this request. He thanked Mr. Jones for this thorough staff report, the applicants, for their assistance through this process. He urged approval of this request. He reviewed the process that has taken place noting that it has been successful. He remarked a former Board Member pulled this item off of the consent agenda because she did not think that colors and designs should be decided by neighborhoods. Not only is that opinion unfair it was completely contrary to the public process.

**RUTH MONES** read a letter from Henry Katz as stated below:

I've lived in Scottsdale Horizon since 1995. I served on the Board of Directors of the Scottsdale Horizon Master Community Association for 8 years. I am currently Vice President of the board, and a member of the Architectural Review

Committee. Our group, from its inception, worked very hard to maintain the aesthetic features in the neighborhood. I personally had responsibility for supervising the landscaping of the public medians throughout Horizon, and they are now an asset to both the community and the City of Scottsdale.

- SHMCA got involved when Shelter Bay Co. chose to repaint the Horizon Center without going through the DR process.
- We met with Kurt Jones of the Scottsdale City Staff, and Shelter Bay and discussed the issues.
- We all managed to put aside our differences, and reach an agreement.
- Shelter Bay would apply to DR through the proper channels, and also find a color to replace Tasmanian Myrtle.
- We all agreed that the new color should more in keeping with the Architectural Guidelines of our organization.
- All of Horizon and its neighbors have observed the Guidelines for many years.
- Shelter Bay chose 6 color alternatives.
- We reviewed those colors.
- Copper Springs was the choice of the developer, and fit the community guidelines, and was selected as the best alternative color.

We were all very pleased to find how well the process worked. Just as we have for the past ten years, Horizon Center, SCHMCA, and the city of Scottsdale worked together as good neighbors.

**RUTH MONES**, Scottsdale Horizon Community Master Community, Association, spoke in favor of this request. Noting that she is on the Architectural Committee. She reviewed the process they have gone through regarding this color change noting that the process worked. She reported that they did their homework and chose a color that would represent the community.

**ARTHUR MONES**, Scottsdale Horizon Community Master Community, Association, spoke in favor of this request. He stated that he is president of the Community Association and they work hard on the aesthetics of the community. He further stated that this process worked and everyone has agreed on the color palette.

(COUNCILMAN LITTLEFIELD CLOSED PUBLIC TESTIMONY.)

**MR. JONES** stated if somebody would have stood up and shown the Board these colors he would have probably said yes and been done. He further stated it is admirable what the community has done that they have worked through this and come to a good conclusion. He noted that he did not have a problem with the colors. He further noted that he did protest the unnecessary attack on former

Board Member Gale. In fact the Board does have responsibility to consider these colors and we are not asked to forgo our professional judgment no matter who has worked on it in the past. Normally in this type of situation when there has been this much study, of course, we would approve it if they possibly can. Making an attack on a former Board Member who is merely trying to make sure the right thing is done is unnecessary and hopes we will not see that happen again.

**MR. JONES MOVED TO APPROVE CASE 47-DR-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY VICE CHAIRMAN CORTEZ.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

24-PP-1999#2

Sabino Heights  
Replat  
SWC of 132<sup>nd</sup> Street & Sabino Rd.

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. SCHMITT** inquired about the issue regarding the retention basin location. Mr. Ward explained that city staffs intention would be to locate the basin in a tract but his being such a tight development it was allowed in this case subject to that criteria.

Mr. Schmitt inquired if the four lots are the proper context in terms of scale, and size with the property in the surrounding area. Mr. Ward replied in the affirmative.

**MR. SCHMITT MOVED TO APPROVE CASE 24-PP-1999#2 WITH THE ATTACHED STIPULATION. SECOND BY MR. D'ANDREA.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

55-DR-2004

Civic Center Library Teen Center Patio  
Site plan & Elevations  
3839 N. Drinkwater Bl.  
Wendell Burnett Architects,  
Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**MR. JONES** stated that his preliminary concerns have been adequately addressed.

**MR. JONES MOVED TO APPROVE CASE 55-DR-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY MR. SCHMITT.**

**MR. D'ANDREA** requested information on the materials. The architect for the project reviewed the proposed materials.

**VICE CHAIRMAN CORTEZ** asked a series of questions regarding what avenues had been looked into regarding cooling the patio. The Architect discussed the options that were looked into. Vice Chairman Cortez stated that he likes this project but is concerned that it might not be livable during part of the year. The Architect stated that issue was discussed by the Library Board and it was determined they should move forward with the project even if the space might not be used in the summer.

**COUNCILMAN LITTLEFIELD CALLED FOR THE VOTE. THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

#### **ADJOURNMENT**

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 2:05 p.m.

Respectfully Submitted

"For the Record" Court Reporters